

PRODUCT: 50 packages of *Tolergen Tablets* which were offered for sale by the Vita Health Food Co., at Washington, D. C. The product was accompanied by a number of leaflets entitled "The Riddle of Allergy," and each package of the product contained a circular entitled "Are you Allergic."

Examination of a sample indicated that the product possessed approximately the composition declared upon its label.

LABEL, IN PART: "Tolergen * * * each tablet contains: Ascorbic Acid . . . (100 Mg.) 2000 U. S. P. Units, Irradiated Ergosterol . . . 150 U. S. P. Units, Dicalcium Phosphate Anhydrous 5 grains * * * Distributors Research Drug Company, Inc. 100 Fifth Avenue New York."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label and in the circulars and leaflets were false and misleading since they represented and suggested that the article would be effective in the prevention and relief of allergic distress, hay fever, rose fever, asthma, eye catarrh, migraine, bad breath, nausea, skin rashes, eczema, hives, diarrhea, itch, pimples, and indigestion; and that it would promote the general health and strength. The article would not be effective for such purposes.

DISPOSITION: October 3, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1731. Misbranding of Tolergen Tablets. U. S. v. 10 Bottles and 18 Bottles of Tolergen Tablets. Default decree of condemnation and destruction. (F. D. C. No. 18680. Sample No. 29579-H.)

LABEL FILED: January 4, 1946, Northern District of California.

ALLEGED SHIPMENT: On or about October 5, 1945, by the Western Natural Foods Co., from Seattle, Wash.

PRODUCT: 10 40-tablet bottles and 18 50-tablet bottles of *Tolergen Tablets* at Berkeley, Calif.

LABEL, IN PART: "Tolergen * * * Each tablet contains: Ascorbic Acid (100 mg.)—2000 U. S. P. Units Irradiated Ergosterol (supplying Vitamin D—150 U. S. P. Units) Dicalcium Phosphate Anhydrous—5 grains with excipient * * * Distributors Research Drug Company, Inc. 100 Fifth Avenue—New York."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars shipped with the article and entitled, "The Riddle of Allergy Now Medical Science has the Answer" and "What to do about your Cosmetic Allergy," were false and misleading since they represented and suggested that the article would be effective for the relief of allergic conditions such as hay fever, rose fever, asthma, eye catarrh, migraine, bad breath, nausea, skin rashes, eczema, hives, diarrhea, itch, pimples, and indigestion; and that it would be effective in the treatment of skin affections, nose and throat troubles, and digestive disturbances. The labeling represented and suggested further that the article would fortify the system against the causes of allergic distress; that it would be beneficial in improving the general condition; and that it would be effective in establishing systemic resistance to allergies. It also represented and suggested that the article would be effective to correct cosmetic allergies and skin troubles caused by wearing apparel; that it would build up a resistance to allergy-producing substances, so that any favorite cosmetic could be used without fear of annoying and unsightly skin troubles; that irritation, roughness, chapping, dryness, and unsightly eruptions of the skin caused by the use of cosmetics would be corrected; and that use of the article would result in clear, glowing, and entirely fresh looking skin. The article would not be effective for the purposes represented.

DISPOSITION: March 19, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

1732. Misbranding of Lock's Oil Eucalyptus Compound. U. S. v. 518 Bottles of Lock's Oil Eucalyptus Compound. Default decree of condemnation and destruction. (F. D. C. No. 18145. Sample No. 2951-H.)

LABEL FILED: November 15, 1945, District of Columbia.

PRODUCT: 125 1-ounce bottles, 125 2-ounce bottles, 260 4-ounce bottles, and 8 8-ounce bottles of *Lock's Oil Eucalyptus Compound*, held and intended for sale in the District of Columbia in the possession of the G. C. Murphy Co., Washington, D. C. The product was accompanied by labeling consisting of a